

**CITY OF EL PASO
BUILDING & STANDARDS COMMISSION BOARD PANEL "B"
2ND FLOOR, CITY COUNCIL CHAMBERS
APRIL 29, 2009
5:30 P.M.**

MINUTES

The Building & Standards Commission Panel "B" held a public hearing in City Council Chambers, 2nd floor of the City Hall Building on Wednesday, April 29, 2009 at 5:30 p.m. with the following members present:

Board Members Present:

Roman Bustillos
Paul Zacour
Hector Zamora
James Ratliff (alternate)
Hershel Stringfield (alternate)
Armando Uranga (alternate)

Others Present:

Tom Maguire, Chief Building Inspector
Bill Stern, Chief Building Inspector
Mark Shoesmith, Assistant City Attorney
Nellie Avalos, Residential Inspector
Robert Gonzalez, Residential Inspector
Sergio Melendez, Combination Building Inspector
Supervisor
Nancy Spencer, Recording Secretary

Late Members

William Correa, 5:38 p.m.

Absent Members

Jimmy Stevens
Fred Perez
Anibal Olague

AGENDA

I. Call to Order

The Building & Standards Commission meeting, Panel "B" was called to order by Chairman, Roman Bustillos at 5:35 p.m.

II. Approval of minutes for the meeting held February 25, 2008.

Motion made by Herschel Stringfield seconded by James Ratliff to approve the minutes for the February 25, 2009 meeting unanimously carried.

III. Any changes to the agenda

Bill Stern advised that there were no changes to the agenda.

Regular Items:

IV. Public hearing to determine if the property located at 4645 N. Mesa Street., in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated April 1, 2009. The owners Ashim Chaudhuri and Velia Chaudhuri, ACVC Corporation, 4645 North Mesa Street, El Paso, Texas 79912, Eugene F. Weimer, Trustee for Compass Bank, 17218 Preston Road, 3rd Floor, Dallas, Texas 75252, Francis M. Flato, Trustee-Administrator, U.S. Small Business Administration, 4300 Amon Carter Blvd, Suite 114, Fort Worth, Texas 76155, U.S. Small Business Administration, 2120 Riverfront Drive, Suite 100, Littlerock, AR 72202, Internal Revenue Service, 700 East

San Antonio Avenue, El Paso, Texas, 79901, Internal Revenue Service, 801 Broadway, Nashville TN, 37203, have been notified of the violations at this property.

Bill Stern, Chief Building Inspector, was present for discussion.

Sam Sipes, legal representative for the property owners, Rob Decker, manager of the property, Dijon Chauduri, property owner's son and Carlos Madrid, representative for Compass Bank were present for discussion.

Nick Torres from the Fire Department and Officer Cruz Morales from the Police Department were present for discussion.

Tom Maguire, Chief Building Inspector, was present for discussion.

Sylvia Zanella, Code Compliance Inspector was present for discussion.

Public comment was made from Mr. Victor Guzman, representative for Century 21.

Motion made by Hector Zamora seconded by Armando Uranga to accept staff recommendations with the modification to item 9, to secure the egress area with chain link fencing within 30 days, the parking lot lighting to remain energized and working, and the broken glass be removed and all openings to be boarded up unanimously carried.

The owners have been notified of the property maintenance violations at this property, to date there has been some corrective action taken, and therefore the Department recommends that it be found:

- 1) That the structures be vacated and maintained vacant within thirty (30) days, provided that security staff may remain on the property; and
 - 2) That the main electrical service entrance be disconnected from the building within thirty (30) days; and
 - 3) That temporary electrical service be supplied to units #113, 213, 128, 223 and 228 for use by on site security detail only. Such temporary electrical service shall be allowed only as long as 24 hour per day security staff remains on the property; and
 - 4) That the parking lot lights remain energized and operable; and
 - 5) That the structures be secured and remain secured within thirty (30); and
 - 6) That the ingress areas be secured with chain link fencing to prevent unwanted entry to the interior of property; and
 - 7) That the restaurant windows facing Mesa Street be boarded or secured with chain link fencing; and
 - 8) That all broken glass be cleaned up and all openings be boarded; and
 - 9) That the premises be cleaned and maintained clean of all weeds, trash and debris within thirty (30) days; and
 - 10) That upon failure by the owner or any other interested party to comply with the order of the Building and Standards Commission the City may take whatever action is necessary to bring the property into compliance, and place a lien on the property for the work which will be done by the City.
- V. Public hearing to determine if the property located at 2600 Porter Avenue., in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated March 17, 2009. The owners Rachel Munoz, 2600 Porter Avenue, El Paso, Texas 79930 and Rachel

Munoz C/O Mountain View Health Care, 1600 Murchison Drive, El Paso, Texas 79902, have been notified of the violations at this property.

Bill Stern, Chief Building Inspector, was present for discussion.

Robert Gonzalez, Residential Inspector was present for discussion.

Sylvia Zanella, Code Compliance Inspector was present for discussion.

Motion made by Hector Zamora seconded by William Correa to accept staff recommendations unanimously carried.

The owners have been notified of the violations at this property, to date there has been no response or corrective action taken, and therefore the department recommends that it be found:

The owners have been notified of the property maintenance violations at this property, to date there has been no response or corrective action taken, and therefore the Department recommends that it be found:

- 1) That the structure be condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
- 2) That the structure are not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
- 3) That the structure's certificate of occupancy be revoked; and
- 4) That the structure cannot be rehabilitated; and
- 5) That the structure be demolished within thirty (30) days; and
- 6) That the premises be cleaned and maintained clean of all weeds, trash, and debris within 30 days; and
- 7) That upon failure by the owner or any other interested party to comply with the order of the Building and Standards Commission the City may take whatever action is necessary to bring the property into compliance, and place a lien on the property for the work which will be done by the City.

Bill Stern, Chief Building Inspector was present for discussion.

- VI. Public hearing to determine if the property located at 2616 Porter Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated March 17, 2009. The owners Mary Mireles and Tony Mireles, 2616 Porter Avenue, El Paso, Texas, 79930 (the "**Owner**"), 2 Civic Center Plaza, El Paso, Texas 79901, have been notified of the violations at this property.

Bill Stern, Chief Building Inspector was present for discussion.

Nellie Avalos, Residential Inspector was present for discussion.

Sylvia Zanella, Code Compliance Inspector was present for discussion.

Public comment was made from Mr. Hector Guzman, Representative for Century 21.

Motion made by William Correa seconded by Hector Zamora to accept staff recommendations unanimously carried.

The owners have been notified of the property maintenance violations at this property, to date there has been no response or corrective action taken, and therefore the Department recommends that it be found:

- 1) That the structures be condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
- 2) That the structures are not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
- 3) That the structures' certificate of occupancy be revoked; and
- 4) That the main structure can be rehabilitated; and
- 5) That the accessory structure cannot be rehabilitated; and
- 6) That the main structure be secured within thirty (30) days, and maintained secure until rehabilitated; and
- 7) That the accessory structure be demolished within thirty (30) days; and
- 8) That the hole in the backyard be filled in; and
- 9) That the premises be cleaned and maintained clean of all weeds, trash, and debris within 30 days; and
- 10) That upon failure by the owner or any other interested party to comply with the order of the Building and Standards Commission the City may take whatever action is necessary to bring the property into compliance, and place a lien on the property for the work which will be done by the City.

- VII. Public hearing to determine if the property located at 708 S. Saint Vrain Street, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated March 4, 2009. The owners Luis G. Grijalva & Rafaela P. Grijalva, 708 S. Saint Vrain Street, El Paso, Texas, 79901, El Paso Federal Savings & Loan Association, 501 N Kansas Street, El Paso, Texas, 79901, El Paso Federal Savings & Loan Association, 517 N Kansas Street, El Paso, Texas, 79901, El Paso Federal Savings & Loan Association, P. O. Box 9756 El Paso, Texas, 79995-9756 (the "**Owners**"), have been notified of the violations at this location.

Bill Stern, Chief Building Inspector was present for discussion.

Nellie Avalos, Residential Inspector was present for discussion.

Sylvia Zanella, Code Compliance Inspector was present for discussion.

Motion made by William Correa seconded by Hector Zamora to accept staff recommendations unanimously carried.

The owners have been notified of the property maintenance violations at this property, to date there has been no response or corrective action taken, and therefore the Department recommends that it be found:

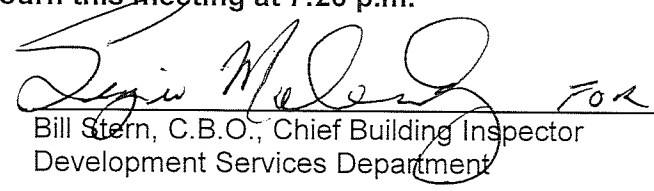
- 1) That the structures be condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
- 2) That the structures are not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
- 3) That the structures' certificate of occupancy be revoked; and
- 4) That the structures cannot be rehabilitated; and
- 5) That the structures be demolished within thirty (30) days; and

- 6) That the premises be cleaned and maintained clean of all weeds, trash, and debris within 30 days; and
- 7) That upon failure by the owner or any other interested party to comply with the order of the Building and Standards Commission the City may take whatever action is necessary to bring the property into compliance, and place a lien on the property for the work which will be done by the City.

VII. Adjournment

Motion was unanimously carried to adjourn this meeting at 7:26 p.m.



Roman Bustillos, Chairman

Bill Stern, C.B.O., Chief Building Inspector
Development Services Department